		, ——
	Yeas7.	vote
Davidson.	Odell.	would
Grinnan.	Stafford.	Pe
Lloyd.	Turney.	ney 1
Miller.	ruincy.	morr
-		Ad
	Nays—15.	}
$\mathbf{Atlee}.$	Linn.	
Burns.	Morriss.	\mathbf{H}
Goss.	Potter.	Davi
Gough.	Ross.	Dibre
Greer.	Sebastian.	Grini
Hanger.	Terrell.	Kerr.
James.	Wayland.	Lewi
Kerr.	•	Linn.
	Absent.	
Johnson.	Stone.	A 41
Lewis.	Yantis.	Atlee
Neal.	Yett.	Burn
Patterson.	1600.	Goss.
		Goug
Abse	ent—Excused.	Greer
McGee.		Hang
	PAIRED.	
Samadan Diba	all present who would	John
Senator Dior	ell, present, who would	Neal.
	Senator Yett, absent, who	Patte
would vote nay.		
By Senator St	tafford:	M.O.
"Amend by st	riking out the town 'Den-	McGe
ton' wherever i	t appears and insert the	
town 'Whitesbo	ro, and strike out Den-	
ton county whe	rever it appears and in-	
sert 'Grayson co	ounty.'"	
Lost.	•	
By Senator L	inn:	Au
"Amend by st	riking out the word 'Den-	Sei
ton' wherever i	t occurs in the bill and	Lie
substituting in	lieu thereof the word	chair
'Brazoria'	lieu thereof the word	Ro
Lost by the fo		lowin
Lost by the re	Yeas-5.	name
Danidaaa	Miller.	Atlee
Davidson.	Stafford.	Burn
Kerr.	Stanord.	Davi
Linn.		Dibre
-	Nays—18.	Goss.
Atlee.	Lloyd.	Goug
Burns.	Morriss.	Green
Goss.	Odell.	Grin
Gough.	Potter.	Hang
Greer.	Ross.	Jame
Grinnan.	Sebastian.	John
Hanger.	Terrell.	Kerr
James.	Turney.	Lewi
Lewis.	Wayland.	Linn.

yea, with Senator Yett, absent, who d vote nay. ending further action, Senator Turmoved to adjourn until 10 a. m. todjourned by the following vote: Yeas—13. Ion. Jas. N. Browning, President. dson. Lloyd. ell. Miller. nan. Ross. Stafford. Turney. s. Wayland. Nays-12. James. Morriss. ns. Odell. Potter. gh. Sebastian. r. ger. Terrell. Absent. Stone. son. Yantis. Yett. erson. Absent—Excused. ee. FORTIETH DAY. Senate Chamber,

ustin, Texas, Tuesday, March 7, 1899. enate met pursuant to adjournment. eutenant-Governor Browning in the

oll called. Quorum present, the fol-Senators answering to their ng es:

Lloyd. e. McGee. ıs. Miller. idson. Morriss. ell. Neal. Odell. gh. Patterson. r. Potter. ınan. ger. Ross. Sebastian. es. Stafford. son. Terrell. Turney. s. Wayland.

Absent.

Yett. Stone.

Yantis.

Prayer by the Chaplain, Rev. Dr. Den-

Pending the reading of the Journal of yesterday,

On motion of Senator Miller, the same

PAIRED.

Johnson.

Patterson.

Neal.

McGee.

Senator Dibrell, present, who would was dispensed with.

Absent.

Absent—Excused.

Stone.

Yett.

Yantis.

EXCUSED.

On motion of Senator Goss, Senator Stone was excused for yesterday and today, on account of important business.

On motion of Senator Atlee, Senator Neal was excused for non-attendance on yesterday, on account of committee duty.

On motion of Senator James, Senator Yett was excused for yesterday and today, on account of important business.

On motion of Senator Gough, Senator Yantis was excused for yesterday and today, on account of important business.

PETITIONS AND MEMORIALS.

By Senator Miller:

Petition from practicing physicians and surgeons, for the passage of a bill regulating the avocation of barbers.

Read and referred to Judiciary Com-

mittee No. 2.

COMMITTEE REPORTS.

Committee Room, Austin, Texas, March 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 222, being a bill to be entitled "An Act to authorize the Governor and Commissioner of the General Land Office to appoint not more than two agents for the public school lands of this State, to investigate and report upon the location, condition, use or occupancy of the unsold and unleased public school lands of this State, reporting the same to the Governor and said Commissioner."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

POTTER, Chairman.

Committee Room, Austin, Texas, March 2, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 50, being a bill to be entitled "An Act to amend Article 4930 of the Revised Statutes of the State of Texas, relating to marks and brands of live stock,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room, Austin, Texas, March 2, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 103, being a bill to be entitled "An Act to regulate the venue of suits against private corporations, associations, and joint stock companies, so as to permit suits against carriers to be brought in any county in which the carrier on whose line the freight or baggage originated or was first shipped, has an office or agency, and against whom, with others, damages are claimed, or in any county in which is situated the depot, town, or point to which the freight or baggage was consigned or shipped, and to permit two or more carriers to be joined in one suit,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room, Austin, Texas, March 2, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 130, being a bill to be entitled "An Act to amend Sections 1 and 2 of Chapter 153 of the General Laws of the State of Texas, passed at the Regular Session of the Twenty-fifth Legislature, entitled 'An Act to prohibit the taking of fish from the fresh water lakes and streams of this State, otherwise than by means of the ordinary hook and line and trot line; and to prohibit the sale or shipping of game fish in this State, and to provide penalties for the violation thereof,' and to exempt the counties of Stephens, Eastland and Palo Pinto from the provisions of said chapter,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room, Austin, Texas, March 1, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills, have carefully examined and compared

Senate bill No. 159, being a bill to be entitled "An Act to amend Article 32, of Chapter 2, Title I, of the Code of Criminal Procedure of the State of

Texas, relating to the duties of county attorneys,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room, Austin, Texas, March 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on State Asylums, to whom was referred

Senate bill No. 218, being a bill to be entitled "An Act authorizing the Board of Managers of the Southwest Texas Lunatic Asylum at San Antonio, Texas, in conjunction with the Governor of the State of Texas, to lease the sulphur water flowing from the artesian wells on the grounds belonging to said asylum,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recom-

mendation that it do pass.

MORRIS, Chairman.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 176, being a bill to be entitled "An Act to regulate the terms and fix the times for holding the district courts in the Twenty-third Judicial District of Texas, and to repeal all laws and parts of laws in conflict with this act, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that all after the enacting clause be stricken from the bill, and the accompanying substitute be inserted in lieu thereof, and that the bill as substituted do page

stituted do pass.

DAVIDSON, Chairman.

Senate substitute for House bill No. 176, by Committee.

A bill to be entitled "An Act to regulate the terms and fix the times for holding the district courts in the Twenty-third Judicial District of Texas, and to repeal all laws and parts of laws in conflict with this act."

Section 1. Be it enacted by the Legislature of the State of Texas:

That the Twenty-third Judicial District of Texas shall be composed of the counties of Brazoria, Fort Bend, Jackson, Matagorda, Waller and Wharton;

and the terms of the district court to be held therein shall be held as follows:

lst. In the county of Matagorda on the first Monday in January and the first Monday in August of each year, and may continue in session three weeks.

2nd. In the county of Jackson on the third Monday after the first Monday in January and August of each year, and may continue in session two weeks.

3rd. In the county of Waller on the fifth Monday after the first Monday in January and August of each year, and may continue in session four weeks.

4th. In the county of Fort Bend on the ninth Monday after the first Monday in January and August of each year, and may continue in session five weeks.

5th. In the county of Wharton on the fourteenth Monday after Monday in January and August of each year, and may continue in session four weeks.

6th. In the county of Brazoria on the eighteenth Monday after the first Monday in January and August of each year, and may continue in session six weeks.

Section 2. All laws and parts of laws in conflict herewith are hereby repealed.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 149, being a bill to be entitled "An Act to extend the terms and prescribe the time of holding the terms of the district courts of the Thirty-seventh and Forty-fifth Judicial Districts of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DAVIDSON, Chairman.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Districts, to whom was referred

House bill No. 529, being a bill to be entitled "An Act to change and fix the times of holding the terms of the district court in the Thirteenth Judicial District,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

DAVIDSON, Chairman.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Dis-

tricts, to whom was referred

House bill No. 649, being a bill to be entitled "An Act to amend subdivision 29, of Article 22, Title IV, of the Revised Civil Statutes of the State of Texas, so as to change the times of holdthe several district courts in the Twentyninth Judicial District, except Coryell county, and to extend the time of holding court in the county of Erath,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recom-

mendation that it do pass.

DAVIDSON, Chairman.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Judicial Dis-

tricts, to whom was referred House bill No. 498, being a bill to be entitled "An Act to fix the time of holding the district courts of the Twentyseventh Judicial District of the State of Texas, and amending Article 20, subdivision 27, Title IV, of the Revised Stat-

utes of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

DAVIDSON, Chairman.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and com-

pared

Senate bill No. 141, being a bill to be entitled "An Act to authorize the Houston & Texas Central Railroad Company to purchase, own and operate the railroad of the Central Texas & Northwestern Railway Company with its franchises and appurtenances, the Railroad of the Fort Worth & New Orleans Railway Company, with its franchises and appurtenances, the Lancaster Tap Railroad, with its franchises and appurtenances, the railroad of the Austin & Northwestern Railroad Company, with its franchises and appurtenances, and the railroad of the Granite Mountain & Marble Falls City Railroad Company, with its franchises and appurtenances, or either further to authorize the said- The Sher-

or any of such railroads with its or their franchises and appurtenances, and to authorize the owners of each of said railroads and its franchises and appurtenances to sell the same and to authorize said Houston & Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railways, franchises and appurtenances so purchased, as fixed or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of such properties and the operations thereof,

And find the same correctly enrolled, and have this day, at 3:30 p. m., presented the same to the Governor for his approval.

GRINNAN, Chairman.

Hon. Jas. N. Browning, President of the Senate, and Hon. J. S. Sherrill, Speaker of the House.

Your Free Conference Committee, to whom was referred the differences between the Senate and House upon

Senate bill No. 154, being a bill to be entitled "An Act to authorize the Missouri, Kansas & Texas Railway Company of Texas to acquire by purchase or lease the railroad of the Sherman, Shreveport & Southern Railway Company, extend. ing from the city of McKinney, in Collin county, to the city of Jefferson, in Marion county, and any extension thereof from said city of Jefferson to the eastern line of Texas, in the direction of Shreveport, Louisiana, together with the property and franchises pertaining thereto, and to own, operate and maintain the same as part of its line, with the right to extend the same and to construct branches therefrom by amendment of its charter, under the general laws of the State of Texas, and investing said companies and each of them with the power to make and execute all necessary contracts, agreements and conveyances to effect such sale or lease; also to authorize the said The Sherman, Shreveport. such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, when the said railway so to be purchased or leased has been extended from the city of Jefferson to the eastern line of the State of Texas, in the direction of Shreveport, Louisiana, to connect with any railway extending to said city of Shreveport, and to acquire from the owner or owners of such line of railway, in the State of Louisiana, by lease, trackage or running rights agreement, the use of such line to the said city of Shreveport; and

7 00

3 75

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2 75

1 50

man, Shreveport & Southern Railway Company, before such sale or lease, or the said The Missouri, Kansas & Texas Railway Company of Texas, after such sale or lease, to acquire necessary terminul facilities in the said city of Shreveport,"

Beg leave to report that we have had the same under consideration, and report back to the Senate and House the following substitute for the House amend-

ment:

"Provided further, That the stock and bonds of the Missouri, Kansas & Texas Railway Company of Texas issued in exchange for the stock and bonds of the Sherman, Shreveport & Southern Railway Company shall not exceed the valuation of the said Sherman, Shreveport & Southern Railroad as fixed by the Railroad Commission of Texas.

"Provided further, That nothing herein contained shall be construed as affecting in any manner any suit pending between the State of Texas and the said The Missouri, Kansas & Texas Railway Company of Texas, nor as affecting in any manner the discretion of the Attorney-General of Texas to prosecute or not to prosecute any such suit, or as in any manner waiving any cause of action now existing in favor of the State of Texas against said railway company.'

And said substitute shall be inserted in said bill at the end of Section 4, and we recommend that said substitute be

adopted.

Respectfully submitted, GOUGH. ODELL, GREER, **JAMES** TURNEY.

Committee on part of the Senate.

SCHLUTER, WOOTEN. VAUGHAN, BOLIN,

Committee on part of House.

Committee Room, Austin, Texas, March 6, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Finance, to whom was referred

Substitute House bill No. 43, being a bill to be entitled "An Act making appropriations for deficiencies in the appropriation hertofore made for the payment of expenses in support of the State government from March 1, 1897, to February 28, 1899, and for previous years, being claims registered in the Comptroller's office in accordance with the law, following: 'For pay of fees in felony

and for outstanding claims not registered, and for further deficiencies,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendments:

"Amend by adding after the word 'attorneys,' under the head of 'Pay of Special Judges,' the words, 'and pay of special judges of the courts of civil ap-

peals.'

"Amend appropriation for maintenance of House of Correction and Reformatory by striking out '\$1677.17' and inserting in lieu thereof '\$939.73.'

"Amend apropriations by adding the following for Department of State for

year ending February 28, 1899:

To Eugene Von Boeckmann Publishing Co., for stationery, printing, book, files, etc., duly sworn to and approved by the Expert Printer and Printing Board, now in the hands of D. H. Hardy, Secretary of State, amount to\$ 72 70

To George P. Assman for repairing, cleaning and changing combinations and locks and repairing on furniture in Department of State, duly sworn to and approved by Expert Printer and Printing Board, amount to

Corner's Book Store for repairing typewriter, duly proven and certified to as other bills

To Hamilton Jones for washing for the months of December, 1898, January and February, 1899, duly proven.....

To the Austin Book and Stationery Company, for repairing one typewriter, duly proven and approved as aforesaid

To two volumes Sayles' Annotated Statutes, duly proven and approved as aforesaid....

To repairing clocks in office, duly proven and approved...
To drayage and carrying of

mail from office of Secretary of State to postoffice.....

Total\$104 45

"Amend appropriations by adding the following: 'For pay of stenographer of the Supreme Court, balance due from 1896, 1897 and 1898 to W. S. Gabriel, \$1437.00.

"Amend appropriations by adding the

cases decided at Dallas term, 1899, \$290.'"

DIBRELL, Chairman.

BILLS AND RESOLUTIONS.

By Senator Odell:

Senate bill No. 223, A bill to be entitled "An Act to amend Article 4445, of the Revised Civil Statutes of the State of Texas, and to authorize railroad corporations to acquire new right of way for the purpose of shortening the line or reducing the grades."

Read first time, and referred to Committee on Internal Improvements.

By Senator Stafford (by request):
Senate bill No. 224, A bill to be entitled
"An Act to create a commission to be
known as the Texas State Historical
Commission, and to define the duties and
powers of said commission."

Read first time, and referred to Judi-

ciary Committee No. 1.

Call concluded.
Senator Gough called up the Free Conference Committee report on Senate bill No. 154 (see committee reports above), and moved its adoption.

Adopted by the following vote:

Yeas—26.

Lloyd. Atlee. Miller. Burns. Morriss. Davidson. Neal. Dibrell. Odell. Goss. Patterson. Gough. Potter. Greer. Ross. Hanger. Sebastian. James. Stafford. Johnson. Terrell. Kerr. Turney. Lewis. Wayland. Linn.

Nays—2.

Grinnan.

McGee.

Absent—Excused.

Stone.

Yett.

Yantis.

Senator Gough moved to reconsider the vote by which the report was adopted, and to lay that motion on the table.

Tabled.

PENDING BUSINESS.

The Chair laid before the Senate, on second reading, pending business,

Senate bill No. 145, A bill to be entitled Greer.

"An Act to provide for the establishment, maintenance and government of a State normal school to be located at Denton, Texas, and to be known as the North Johnson.

Texas Normal School," action being on engrossment.

By Senator Stafford:

"Amend by striking out the town 'Denton' wherever it appears, and insert the town of 'San Marcos,' and strike out 'Denton county,' wherever it appears, and insert 'Hays county.'"

Lost.

By Senator Stafford:

"Amend by striking out the town of 'Denton,' wherever it occurs, and insert the town of 'Beaumont,' and strike out the county of 'Denton' and insert in lieu thereof the county of 'Jefferson.'"

Lost.

By Senator Kerr:

"Amend Section 4, line 12, by adding after the word 'May' the following, 'after the expiration of two years from the time it becomes a law."

By Senator Gough:

"Substitute the amendment as follows: "Amend by inserting after the word 'May,' in line 1, of Section 4, the following, 'after the taking effect of this act.'"

Adopted by the following vote:

Yeas—17.

Miller. Atlee. Morriss. Burns. Goss. Odell. Patterson. Gough. Potter. Greer. Hanger. Ross. Sebastian. James. Terrell. Lewis. McGee.

Nays—10.

Davidson. Lloyd.
Grinnan. Neal.
Johnson. Stafford.
Kerr. Turney.
Linn. Wayland.

Absent—Excused.

Stone. Yantis. $\mathbf{Yett.}$

PAIRED.

Senator Dibrell, present, who would vote nay with Senator Yett, absent, who would vote yea.

The amendment as substituted was then adopted by the following vote:

Yeas-20.

Atlee. Lewis.
Burns. McGee.
Gough. Miller.
Greer. Morriss.
Grinnan. Odell.
Hanger. Patterson.
James. Potter.
Johnson. Ross.

Stone.

Yantis.

Sebastian. Stafford.	Terrell. Wayland.
D000-1-01-41	Nays—7.
Davidson.	Lloyd.
Goss.	Neal.
Kerr.	Turney.
Linn.	•
	Absent—Excused.
Stone.	Yantis.
Yett.	<u>.</u> .
	DAIRED

PAIRED.

Senator Dibrell, present, who would vote nay with Senator Yett, absent, who would vote yea.

By Senator Stafford:

"Amend by striking out Section 4, as

Lost by the following vote:

Yeas—9.
Lloyd.
Neal.
Ross.
Stafford.

Nays—17. Miller. Atlee. Morriss. Burns. Odell. Goss. Potter. Gough. Sebastian. Greer. Hanger. Terrell. Turney. James. Johnson. Wayland. McGee.

Absent-Excused.

Stone. Yantis.

Yett.

PAIRED.

Senator Dibrell, present, who would vote yea with Senator Yett, absent, who would vote nay.

By Senator Dibrell:

"Amend by adding after Section 4 the llowing: 'Provided, the Legislature shall never appropriate for any one year a greater sum than fifteen thousand dollars out of the general revenue for the support and maintenance of said normal school.'"

Gough.

Lost by the following vote:

•	•
	Yeas—10.
Davidson.	Lloyd.
Johnson.	Patterson.
Kerr.	Sebastian.
Lewis.	Stafford.
Linn.	Wayland.
	Nays—17.
Atlee.	Goss.

Burns.

Greer. Grinnan. Hanger. James. McGee.	Neal. Odell. Potter. Ross. Terrell.
Miller. Morriss.	Turney.
	Absent—Excused.

PAIRED.

Yett.

Senator Dibrell, present, who would vote yea with Senator Yett, absent, who would vote nay.

The bill was then ordered engrossed. On motion of Senator Miller, the pending business (Senate bill No. 199, convict parole bill) was suspended to take

up, on second reading,
Senate bill No. 172, A bill to be entitled "An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas, to define his duties, term of office, mode of qualification and compensation, to abolish the office or position of steward, quartermaster or other similar position in said institutions, to require all supplies to be purchased by said agent under competitive bids or contracts, to provide for the appointment of storekeepers or accountants in said institutions, and define the duties thereof, to make an appropriation for the salary of said purchasing agent, to provide for the appointment of two clerks for said purchasing agent, and to make appropriation for their salaries, and to repeal all laws in conflict herewith."

Bill read second time, with committee amendments, towit:

"Amend Section 4 by adding thereto

the following:

"'Provided, that in advertising for such supplies, the State Purchasing Agent shall advertise for bids to supply the requisitions made by the superintendent and boards of the several institutions, separately, and shall require all bidders to submit samples of the supplies they bid on, said samples to be forwarded to the superintendent of the institution to which it is proposed to furnish sup-plies, together with a copy of the bid, sealed, and the State Purchasing Agent shall proceed to the institution and on the date named in the advertisement for opening bids on goods, wares and merchandise to be furnished, shall open the sealed bids in the presence of the superintendent or president of the institution and the board of managers, and award the contract to the lowest responsible | bidder.' "

"Amend Section 6 by striking out the words 'Comptroller, as well as the Governor and members of the boards of managers if they shall desire to be present, and insert in lieu thereof 'board of managers and superintendent, and the Governor and Comptroller of Public Accounts if they desire to be present."

"Amend Section 6 by adding after the word 'named' where it appears at the end of the second sentence the following, 'and all supplies furnished by contract as provided herein shall be equal to the sample which is required by Section 4, to accompany the bid. And when the supplies delivered under contract do not come up to the sample, the superintendent shall refuse to accept the same.'"

"Amend Section 7 by adding after the word 'him' where it occurs in the second sentence the following, 'and the sample by which the supplies were sold;' and after the word 'invoice' where it first occurs in Section 7 the following, 'and the sample by which the supplies were sold.

Committee amendments adopted.

By Senator Lewis:

"Amend by adding Section 15 to the bill, as follows:

"'Section 15. The near approach of the close of the present session and the large number of bills now upon the calendars of the House and Senate, and the importance of this act, creates an emergency and an imperative public necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage.'

Adopted.

By Senator Potter:

"Amend Section 2, page 2, by adding thereto the following: 'It shall also be within the condition of said bond, and the same shall provide that said purchasing agent shall not accept or receive, directly or indirectly, by rebate, commissions or in any other manner whatever, any money or other thing of value from any person, firm or corporation to whom said agent may award any contract, directly or indirectly."

Adopted.

By Senator Johnson:

"Amend Section 3, page 3, by striking out in lines 10, 11 and 12, the following: 'The offices or positions of steward, quartermaster or other similar position heretofore existing in any and all of said named institutions, are hereby abolished.'"

Lost.

By Senator Greer:

"Amend Section 4 by adding thereto another proviso to read as follows: 'Provided, that other things being equal, supplies offered by bidders who have an established local business in this State shall have preference."

Adopted by the following vote:

Yeas-21.

Burns. Lloyd. Davidson. Miller. Dibrell. Morriss. Odell. Greer. Grinnan. Patterson. Hanger. Potter. Sebastian. James. Johnson. Stafford. Kerr. Turney. Wayland. Lewis.

Linn.

Nays—6. Atlee. Neal. Goss. Ross. Gough. Terrell.

Present—Not voting.

McGee.

Absent-Excused.

Yett.

Stone. Yantis.

By Senator Potter:

"Amend Section 1 by adding the following: 'Neither shall said agent accept or receive from any person, firm or corporation to whom any contract may be awarded directly or indirectly, by rebate, gift or otherwise, any money or other thing of value whatever, nor shall he receive any promise, obligation or contract for future reward or compensation from any such party."

Adopted.

By Senator Turney:

"Amend by adding to Section 1 the fol-'Provided, that should said purchasing agent violate any of the provisions of this act or should he receive any rebate, drawback, profit or benefit, from any contract, he shall be deemed guilty of a felony and upon conviction shall be punished by confinement in the penitentiary not less than two nor more than five years."

Adopted.

Senator Morriss moved to reconsider the vote by which the committee amendments (above) were adopted.

Lost.

By Senator Atlee:

"Add to Section 2 the following: "The said bond shall be filed in the office of the Comptroller, and recoveries may be had on the same until exhausted."

Adopted.

March 7, 1899 By Senator Atlee: "Add in line 6, page 2, before the word and, the following: "To be approved by the Governor of the State." Adopted. By Senator Linn: "Amend by adding after the word 'named' in Section 6, line 9, page 5, the following: 'And equal to and of the same quality as the sample furnished the purchasing agent." Adoptea. By Senator Lewis: "Amend by striking out the words 'and fully' in Section 2, page 2, line 13, and insert in lieu thereof 'faithfully.'" Adopted. By Senator Greer: "Amend page 7, line 15, by adding after the word 'home,' the following: 'the A. and M. College.'" Lost by the following vote: Yeas—10. Burns. Johnson. Davidson. Lloyd. Morriss. Greer. Grinnan. Odell. Stafford. Hanger. Nays-16. Atlee. Miller. Dibrell. Neal. Potter. Goss. James. Ross. Kerr. Sebastian. Lewis. Terrell. Turney. Linn. McGee. Wayland. Absent. Patterson. Gough. Absent—Excused. Yett. Stone. Yantis. By Senator Stafford: "Amend by inerting after the word insane, in line 14, page 7, the words 'the penitentiaries, the Reformatory, the Superintendent of Public Buildings and Grounds.'" Lost by the following vote: Yeas-11. Davidson. Morriss. Odell. Greer. Grinnan. Ross. Hanger. Stafford.

Terrell.

James. Kerr.

Lewis.

Nays—14.

Johnson.

'Lloyd.

Atlee.

Burns.

Dibrell.

26-Senate

Linn. Potter. McGee. Sebastian. Miller. Turney. Neal. Wayland. Absent. Goss. Patterson. Gough. Absent—Excused. Stone. Yett. Yantis. By Senator Grinnan: "Amend by adding after Section 14 the "'Section 15. No accounts for goods, wares or merchandise purchased by any officers created by this act, shall be paid unless sworn to as required by Article 2323, of the Revised Civil Statutes of Texas, which affidavit shall further state that no commission or other compensation has been or will be paid as a consideration for such purchase, and that affiant knows such facts." Adopted. By Senator Johnson: "Amend by inserting after the word 'quartermaster' in Section 3, line 11, page 3, 'financial agent of the penitentiaries.'" Lost. Pending further action, Senator Potter moved that further consideration of the bill be postponed until 3 p. m. today. Senator Wayland moved to postpone until 10 a. m. tomorrow. Lost by the following vote: Yeas—6. Atlee. Morriss. Johnson. Ross. Wayland. Kerr. Nays-18. Burns. McGee. Davidson. Miller. Neal. Greer. Odell. Grinnan. Hanger. Potter. Sebastian. James. Lewis. Stafford. Terrell. Linn. Lloyd. Turney. Absent. Goss. Patterson. Gough. Absent-Excused. Yett. Stone. Yantis.

The motion to postpone consideration until 3 p. m. then prevailed.

HOUSE MESSAGE.

The following message from the House was received:

Hall of the House of Representatives. Austin, Texas, March 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

I am directed by the House to inform the Senate of the passage of the following bills:

Senate bill No. 176, A bill to be entitled "An Act to amend 'An Act to incorporate the city of Paris, and to prescribe its duties and liabilities," adopted by the Twenty-first Legislature of Texas, and approved March 27, 1889, by amending Section 25 of said act, and adding Section 31a thereto," with amendments.

Also House bill No. 70, A bill to be entitled "An Act to require the owner, owners or lessee of coal mines within this State, to provide for the safety and health of their employes, and requiring them to construct sufficient means of egress and ingress, and providing a penalty for the failure to do so."

Also that the House has adopted the Free Conference Committee report on

Senate bill No. 154.

Also House Concurrent Resolution No. 31, indorsing the position of Hon. Jas. W. Bailey of Texas, in the matter of his position in Congress on the subject of army officers holding seats as members of Congress.

Respectfully,
LEE J. ROUNTREE,
Chief Clerk House of Representatives.

IN SENATE.

The above reported House bill No. 70, was read first time, and referred to Committee on Mining and Irrigation.

On motion of Senator Lewis the pending business (Senate bill No. 199, convict parole bill) was suspended to take

up, on second reading,

Senate bill No. 214, A bill to be entitled "An Act to authorize the lease of any railroad connecting at the State line, not exceeding thirty miles in length, by any railroad company so connecting with same."

The bill was read a second time.

By Senator Lewis:

"Amend by striking out the words imperative public necessity in line 6, Section 5, page 2, and insert the word 'emergency.'"

Adopted.

(Senator Atlee in the chair.)

By Senator Potter:

"Amend by striking out Section 3 of the bill."

Lost by the following tie vote:

Yeas--11.

Atlee. McGee.
Davidson. Morriss.
Greer. Neal.
Grinnan. Potter.
James. Sebastian.
Lloyd.

Nays—11.

Burns. Miller.
Dibrell. Odell.
Hanger. Ross.
Kerr. Turney.
Lewis. Wayland.
Linn.

Absent.

Goss. Patterson. Gough. Stafford. Johnson. Terrell.

Absent—Excused.

Stone. Yett. Yantis.

By Senator Turney:

"Amend by adding to Section 2 the following: 'Provided, this act shall not apply when any such lessor road is of less length than 100 miles at the date of the passage of this act.'"

Adopted.

By Senator Greer:

"Amend by adding at the end of Section 1, 'and provided further, that the provisions of this act shall not apply to railroads whose total mileage in this State may exceed thirty miles, although a portion thereof so connecting at the State line may not exceed thirty miles in this State."

By Senator McGee:

"Amend the amendment by striking out the word 'thirty' wherever same occurs and insert 'twenty' in lieu thereof." Lost.

Pending action on Senator Greer's amendment,

On motion of Senator Davidson the Senate adjourned until 3 p. m. today.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Browning in the

Roll called. Quorum present, the following Senators answering to their names:

Atlee. Greer.
Burns. Grinnan.
Davidson. Hanger.
Dibrell. James.

Johnson. Kerr. Lewis. Linn. Lloyd. McGee. Miller.	Patterson. Potter. Ross. Sebastian. Stafford. Terrell. Turney.
Miller. Neal. Odell.	Turney. Wayland.

Absent.

Goss.

Morriss.

Gough.

Absent-Excused.

Stone. Yantis. Yett.

BILLS.

By unanimous consent, the following bills were introduced:

By Senator Dibrell:

Senate bill No. 225, A bill to be entitled "An Act to amend Articles 4220 and 4222, Title LXXXVIII, of the Revised Civil Statutes of Texas of 1895, relating to public printing and the Printing Board, and the employment of a practical printer and secretary of such board."

Read first time, and referred to Com-

mittee on Public Printing.

By Senator Sebastian:
Senate bill No. 226, A bill to be entitled "An Act to amend Article 1781, of Title XXX, of the Revised Statutes of the State of Texas, so as to authorize heirs, devisees and legal representatives of parties to suits to escheat property, to appeal and sue out writs of error, and to prescribe the mode of issuance and service of process in such cases."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Sebastian:

Senate bill No. 227, A bill to be entitled "An Act to amend Article 1373, of Chapter 17, Title XXX, of the Revised Statutes of the State of Texas, by prescribing the mode of procedure in bills of review, when the State of Texas is a party to the suit, and by authorizing bills of review to be filed by heirs or devisees."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Linn:

Senate bill No. 228, A bill to be entitled "An Act ratifying and confirming an ordinance passed by the city council of the city of Galveston on the fourth day of February, 1899, entitled 'An Ordinance abandoning, discontinuing and closing certain streets, avenues and alleys of the city of Galveston, and authorizing and empowering Collis P. Huntington, his heirs or assigns, perpetually to construct and maintain piers on the shores

of Galveston bay within the corporate limits of the city of Galveston, upon certain specified conditions,' and conditionally relinquishing any claim the State of Texas may have to a part of the property therein described."

Read first time, and referred to Committee on Commerce and Manufacturing.

PENDING BUSINESS.

The Chair laid before the Senate, pending business,

Senate bill No. 214, A bill to be entitled "An Act to authorize the lease of any railroad connecting at the State line, not exceeding thirty miles in length, by any railroad company so connecting with same."

Senator Sebastion moved to postpone consideration of the special order to take

up, on second reading,

Senate bill No. 101, A bill to be entitled "An Act to restore to and confer upon the County Court of Stonewall county the civil and criminal jurisdiction heretofore belonging to said county under the Constitution and General Statutes of the State, and to conform the jurisdiction of the district court of said county to such change."

Carried by the following vote:

Yeas-19.

Atlee. Neal. Burns. Odell. Davidson. Patterson. Greer. Potter. Grinnan. Sebastian. James. Stafford. Johnson. Terrell. Kerr. Turney. Linn. Wayland. Lloyd.

Nays—2.

Miller.

Ross.

Present—Not voting.

Lewis.

Absent.

Dibrell. Hanger. Goss. McGee. Gough. Morriss.

Absent-Excused.

Stone. Yantis. Yett.

The Chair then laid before the Senate, Senate bill No. 101 (see caption above). Bill read second time.

By Senator Sebastian:

"Amend Section 4, page 1, by adding at the end of line 32, the word 'final.'"
Adopted.

By Senator Sebastian:

"Amend Section 5 of the bill as follows: Strike out the word 'devolving' in line 4, and insert in lieu thereof the word 'involving,' and in line 5 strike out the word 'of' and insert in lieu thereof the word 'or,' also strike out in line 5 the word 'conduct' and insert in lieu thereof the word 'misconduct.'"

Adopted.

By Senator Sebastian:

"Amend by striking out the whole of Section 10, and insert the following:

"'Section 10. That whereas, the importance and necessity of this law to the people of Stonewall county and on account of the crowded condition of the calendar, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule which requires bills to be read on three several days, and such rule is suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.'"

Adopted.

The bill as amended was ordered en-

grossed.

On motion of Senator Sebastian, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas-23.

Atlee.	Miller.
Burns.	Neal.
Davidson.	Odell.
Greer.	Patterson.
Grinnan.	Potter.
Hanger.	Ross.
James.	Sebastian.
Johnson.	Stafford.
Kerr.	Terrell.
Lewis.	Turney.
Lloyd.	Wayland.
\mathbf{Mc} Gee.	• •

Absent.

Dibrell. Linn. Goss. Morriss. Gough.

Absent-Excused.

Stone. Yett. Yantis.

The bill was read a third time, and passed by the following vote:

Yeas-25.

Atlee.	Hanger.
Burns.	James.
Davidson.	Johnson.
Dibrell.	Kerr.
Gough.	Lewis.
Greer.	Lloyd.
Grinnan.	$\mathbf{Mc}\mathbf{\check{G}ee}.$

Miller.	Sebastian.
Neal.	Stafford.
Odell.	Terrell.
Patterson.	Turney.
Potter.	Wayland.
Rose	•

Absent.

Goss. Linn.

Morriss.

Absent—Excused.

Stone. Yantis. Yett.

On motion of Senator Miller the pending business (Senate bill No. 214, see above) was postponed to take up, on second reading,

Senate bill No. 172, A bill to be entitled "An Act to create the office of State Purchasing Agent for the various eleemosynary institutions of the State of Texas; to define his duties, term of office, mode of qualification and compensation; to abolish the office or position of steward, quartermaster or other similar position in said institutions; to require all supplies to be purchased by said agent under competitive bids or contracts; to provide for the appointment of storekeepers or accountants in said institutions, and define the duties thereof; to make an appropriation for the salary of said purchasing agent; to provide for the appointment of two clerks for said purchasing agent, and to make appropriation for their salaries," action being on engrossment.

Senator Miller moved to reconsider the vote by which the committee amendments to the bill were adopted.

Senator Atlee made the point of order that a like motion had been voted down. Sustained.

By Senator Terrell:

"Amend by adding to Section 14 the following: 'Provided, that no officer or employe created by this act shall ever use or receive for their own use, any provisions, clothing, merchandise or other articles furnished by the State; but that the salaries herein fixed shall be their only compensation, and any person who violates this provision shall upon conviction be sent to the penitentiary for a term not less than two nor more than ten years.'"

Adopted.

By Senator Potter:

"Amend Section 3, page 3, by adding thereto the following: 'Any person violating any of the provisions of this section shall be deemed guilty of a felony, and upon conviction thereof be punished by confinement in the State penitentiary

Stone.

Yantis.

not less than two nor more than five years.'"

Adopted.

By Senator Wayland:

"Page 5, line 2, amend by adding after the word 'State' the following, 'and when purchases are made by the State Purchasing Agent preference shall be given to State or home products, all things being equal.'"

Adopted.

By Senator Johnson:

"Amend Section 4, line 22, page 3, by adding after the word 'Purchasing Agent, the following, by and with the advice and consent of the board of managers of the various eleemosynary institutions."

Lost.

By Senator Potter:

"Amend Section 4, page 4, by adding in line 11, after the word 'contract' the 'Provided, that should said following: Purchasing Agent at any time discover that he could purchase the same supplies for less money for any one year by buying the same for a less length of time than one year, he shall have the authority to make such purchases for a shorter length of time, but not less than three months."

Adopted.

By Senator Atlee:

"In Section 3, line 5, page 3, after the word 'Texas,' insert the following, 'to be approved by the Governor and filed with the Comptroller, which bond shall be."

Adopted.

The bill as amended was ordered en-

grossed.

On motion of Senator Miller, the constitutional rule requiring bills to be read on three several days be suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas--20.

•	Tous 20.
Atlee.	Lloyd.
${f Burns}.$	Miller.
Davidson.	Neal.
Gough.	Odell.
Greer.	Potter.
Grinnan.	Sebastian.
Hanger.	Stafford.
James.	Terrell.
Kerr.	Turney.
Lewis.	Wayland.

Nays--3.

Johnson.

Ross.

Patterson.

Absent.

Dibrell. Goss. Linn.

McGee. Morriss.

Absent—Excused.

Yett.

The bill was read a third time.

By Senator Miller:

"To amend Senate bill No. 172; amend Section 4 as amended by striking out all after and including the word 'provided,' and found in committee amendment, page 8."

Adopted.

By Senator Atlee:

"Add to caption the following, 'and to define offenses committed under the operation of this act and to provide penalties therefor.'"

Adopted.

The bill was then passed by the following vote: Yeas-21.

Atlee. McGee. Burns. Miller. Davidson. Neal. Dibrell. Odell. Gough. Potter. Sebastian. Stafford.

Greer. Hanger. James. Terrell. Kerr. Turney. Lewis. Wayland.

Lloyd.

Nays—4.

Grinnan. Patterson. Johnson. Ross

Absent.

Morriss. Goss.

Linn.

Absent-Excused.

Yett. Stone.

Yantis.

Senator Miller moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

"I am opposed to this bill, but vote for it in defference to our chief executive, whom I know to be able, experienced and conscientious, and whom I concede is better qualified to pass upon its merits than I.

"STAFFORD."

On motion of Senator Davidson, the pending business (Senate bill No. 214) was suspended to take up, on second reading,

Senate bill No. 222, A bill to be entitled "An Act to authorize the Governor and Commissioner of the General Land Office to appoint not more than two agents for the public school lands of this State, to investigate and report upon the location, condition, use or occupancy of the unsold and unleased public school lands of this State, reporting the same to the Governor and said Commissioner."

The bill was read a second time.

By Senator Odell:

"Amend by striking out of Section 1, line 13, the following, 'Governor and,' and by adding to Section 1 the following, 'whose salaries shall not exceed \$1500 per annum each, and whose salaries shall be paid out of recoveries made by them for use of the public school lands when collections have not been made by the Land Commissioner or other duly constituted authorities under existing law."

Senator Turney called for a division

of the question.

Action being on the first division, towit: Amend by striking out of Section 1, line 13, the words 'Governor and,'

The same was adopted.

Action then being on the second division, towit "Amend by adding to Section 1 the following, 'whose salaries shall not exceed \$1500 per annum each, and whose salaries shall be paid out of recoveries made by them for use of the public school lands where collections have been made by the Land Commissioner or other duly constituted authorities under existing law."

The same was lost by the following vote:

Yeas--3.

Gough. Odell. Patterson.

Nays-20. Atlee. Lloyd. McGee. Burns. Davidson. Neal. Greer. Potter. Grinnan. Ross. Hanger. Sebastian. James. Stafford. Kerr. Terrell. Lewis. Turney.

Absent.

Wayland.

Dibrell. Mıller. Goss. Morriss. Johnson.

Absent—Excused.

Stone. Yantis.

Linn.

Yett.

The bill as amended was ordered engrossed.

BILLS SIGNED.

The Chair gave notice of signing, and did sign after their captions had been read,

Senate bill No. 31, "An Act to provide States government under the Act of Cona final method of publishing notices and gress, approved February 28, 1855, and

reports required by law to be published by commissioners courts of the various counties of the State, to be effective in all cases where said courts are unable to secure publication thereof in the manner and for the price now provided by law therefor."

House bill No. 140, "An Act to transfer Sabine county from the district school system to the community school system, and to authorize and empower the county to organize and conduct all of its public free schools under the community system as provided by the laws now in force."

PENDING BUSINESS.

The Chair laid before the Senate, on second reading, pending business.

second reading, pending business,
Senate bill No. 214, A bill to be entitled
"An Act to authorize the lease of any
railroad connecting at the State line,
not exceeding thirty miles in length, by
any railroad company so connecting with
same," action being on the pending
amendment offered by Senator Greer, towit:

"Amend by adding at the end of Section 1, 'and provided further, that the provisions of this act shall not apply to railroads those total mileage in this State may exceed thirty miles, although a portion thereof so connecting at the State line may not exceed thirty miles in this State.""

The amendment was adopted.

By Senator Grinnan:

"Amend by adding after Section 4 the

following

"'Section 5. Any lessee under this act shall keep and maintain its general offices in this State, and the contract made hereunder shall so provide.'"

Lost.

By Senator McGee:

"Amend by striking out 'thirty' in line 11, Section 1, page 1, and inserting 'twenty' in lieu thereof."

Lost.

The bill as amended was ordered engrossed.

On motion of Senator Greer the regular order of business was suspended to

take up, on second reading,

Senate bill No. 213, A bill to be entitled "An Act to appropriate the sum of two thousand dollars, or so much thereof as may be necessary, for the payment of the bonds, certificates, and other evidences of indebtedness against the Republic of Texas that were valid claims, or might have been, upon proper presentation and proof, valid claims against the United States government under the Act of Congress, approved February 28, 1855, and

an Act of the Legislature of the State of Texas, approved February 1, 1856, and to provide for the proof and verification of the same."

The bill was read a second time, and

ordered engrossed.

Senator Greer moved to reconsider the vote by which the bill was ordered engrossed.

Reconsidered.

By Senator Greer:

"Amend the caption, line 6, page 1, by striking out the words 'two thousand' and insert in lieu thereof 'twenty-five hundred,' and amend further, line 14, page 1, by striking out 'two thousand' where it occurs and insert 'two thousand five hundred,' and strike out the figures '\$2000.00,' same line, and insert in lieu thereof '\$2500.00.'"

By Senator Odell:

Substitute the amendment as follows: "Amend by striking out '\$2000, where it occurs in Section 1, line 14, and inserting '\$56,113.27,' and by striking out '\$2000' in line 6, page 1, and inserting in lieu thereof '\$56,113.27.'"

Pending action, on motion of Senator Linn, the Senate adjourned until 10 a.

m. tomorrow.

FORTY-FIRST DAY.

Senate Chamber,

Austin, Tex., Wednesday, March 8, 1899.
Senate met pursuant to adjournment.
Lieutenant-Governor Browning in the

Roll called. Quorum present, the following Senators answering to their names:

Atlee. Lloyd. Burns. McGee. Davidson. Miller. Dibrell. Neal. Goss. Odell. Gough. Patterson. Greer. Potter. Ross. Grinnan. Hanger. Sebastian. James. Stafford. Johnson. Terrell. Kerr. Turney. Lewis. Wayland. Linn. Yett.

Absent.

Morriss. Stone. Yantis.

Prayer by the Chaplain, Rev. Dr. Den-

Pending the reading of the Journal of yesterday,

On motion of Senator Greer, the same was dispensed with.

EXCUSED.

On motion of Senator Stafford, Assistant Journal Clerk T. H. Napier was excused for Monday and Tuesday of this week on account of important business.

On motion of Senator Gough, Senator Yantis was excused for today, on ac-

count of important business.

On motion of Senator Atlee, Senator Stone was excused for today, on account of important business.

On motion of Senator Sebastian, Senator Johnson was excused for non-attendance on Monday last, on account of important business.

On motion of Senator Gough, Senator Goss was excused for today and the remainder of the week, on account of im-

portant business.

On motion of Senator Potter, Assistant Engrossing Clerk J. K. P. Shirley was excused for Tuesday, Wednesday and Thursday on account of sickness.

On motion of Senator Ross, Senator Morriss was excused indefinitely on account of sickness in his family.

COMMITTEE REPORTS.

Committee Room, Austin, Texas, March 8, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Substitute Senate bill No. 17, being a bill to be entitled "An Act to amend Article 1011, of the Revised Civil Statutes of Texas, relating to compensation for clerks of the several courts of civil appeals, fixing their fees and charges, providing for reports and fixing penalties for their failure to make same,"

And find the same correctly engrossed.

JAMES, Chairman.

Committee Room, Austin, Texas, March 7, 1899.

Hon. Jas. N. Browning, President of the Senate.

SIR: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 145, being a bill to be entitled "An Act to provide for the establishment, maintenance and government of a State normal school, to be located at Denton, Texas, and to be known as the North Texas State Normal College,"

And find the same correctly engrossed.

JAMES, Chairman.